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11 Attorneys for Defendants
 CONSECO, INC. and CONSECO LIFE INSURANCE COMPANY
 12

13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 CEDRIC BRADY, DR. CHARLES)	CASE NO.: 3:08-CV-05746-EMC
HOVDEN, MARION HOVDEN, DR.)	
17 EUGENE KREPS, DR. JOHN McNAMARA,)	
DR. HISAJI SAKAI, and JEAN SAKAI,)	STIPULATION AND PROPOSED
18 Individually and On Behalf Of All Others)	ORDER EXTENDING TIME TO
Similarly Situated,)	ANSWER, MOVE, OR OTHERWISE
)	RESPOND TO THE COMPLAINT
19)	
Plaintiffs,)	
20)	
v.)	
21)	
CONSECO, INC. and CONSECO LIFE)	
22 INSURANCE COMPANY,)	
)	
23 Defendants.)	
)	
24)	
)	
25)	
)	
26)	

1 WHEREAS on December 24, 2008, plaintiffs Cedric Brady, Dr. Charles Hovden,
 2 Marion Hovden, Dr. Eugene Kreps, Dr. John McNamara, Dr. Hisaji Sakai, and Jean Sakai (the
 3 "Plaintiffs") filed a Complaint against defendants Conseco, Inc. and Conseco Life Insurance
 4 Company (the "Defendants," referred to collectively with the Plaintiffs as the "Parties"), in the San
 5 Francisco Division of the United States District Court for the Northern District of California (the
 6 "Complaint");

7 WHEREAS on January 9, 2009, Plaintiffs served a summons and Complaint on
 8 each of the Defendants;

9 WHEREAS on January 29, 2009, the Parties filed with the Court a Stipulation
 10 Extending Time To Answer, Move, Or Otherwise Respond To The Complaint (Docket No. 15)
 11 requesting that the date by which Defendants must answer, move, or otherwise respond to the
 12 Complaint be extended to and including February 20, 2009, and the Court granted such relief by
 13 Order dated February 2, 2009 (Docket No. 23);

14 WHEREAS Defendants have requested and Plaintiffs have agreed to further extend
 15 the date by which Defendants shall be required to answer, move or otherwise respond to the
 16 Complaint to and including March 6, 2009;

17 IT IS THEREFORE STIPULATED AND AGREED, by and between the
 18 undersigned, that, subject to this Court's approval, Defendants shall have to and including March 6,
 19 2009, within which to answer, move, or otherwise respond to the Complaint.

20 DATED: February 18, 2009

Millstein & Associates

21 By: /s/ David J. Millstein

22 David J. Millstein
 23 Attorneys for Plaintiffs

24 DATED: February 18, 2009

Gilbert Oshinsky LLP

25 By: /s/ August J. Matteis, Jr.

26 August J. Matteis, Jr.
 27 Attorneys for Plaintiffs
 28

1 DATED: February 18, 2009

Skadden, Arps, Slate, Meagher & Flom LLP

3 By: /s/ David S. Clancy

Raoul D. Kennedy

4 James R. Carroll (Admitted *Pro Hac Vice*)

David S. Clancy (Admitted *Pro Hac Vice*)

5 Cale P. Keable (Admitted *Pro Hac Vice*)

Attorneys for Defendants

6 Consecro, Inc. and Consecro Life Insurance Company

7 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

8 I, David S. Clancy, am the ECF User whose ID and password are being used to file
9 this Stipulation Extending Time To Answer, Move, Or Otherwise Respond To The Complaint. In
10 compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this
11 document has been obtained from each of the other signatories. I declare under penalty of perjury
under the laws of the United States of America that the foregoing is true and correct.

12 Executed this 18th day of February 2009, at Boston, Massachusetts.

13 By: /s/ David S. Clancy

14 David S. Clancy

15 PURSUANT TO STIPULATION IT IS SO ORDERED,

16
17 Dated:

By: 

18 Hon. Susan Illston